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9 Attorneys for WAYMO LLC

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 WAYMO LLC,

13 Plaintiff,

14 vs.

15 UBER TECHNOLOGIES, INC.;
16 OTTOMOTTO LLC; OTTO TRUCKING
17 LLC,

18 Defendants.

CASE NO. 3:17-cv-00939-WHA

**DECLARATION OF JAMES JUDAH IN
SUPPORT OF PLAINTIFF WAYMO
LLC'S MOTION FOR JURY
INSTRUCTION BASED ON SPOILIATION**

1 I, James Judah, hereby declare as follows.

2 1. I am a member of the bar of the State of California and an associate with Quinn
3 Emanuel Urquhart & Sullivan, LLP (“Quinn Emanuel”), counsel for Plaintiff Waymo LLC
4 (“Waymo”). I make this declaration of personal, firsthand knowledge, and if called and sworn as a
5 witness, I could and would testify competently as follows.

6 2. Attached as Exhibit 1 is a true and correct copy of a document bearing bates
7 number UBER00311294.

8 3. Attached as Exhibit 2 is a true and correct copy of excerpts from the September 29,
9 2017 deposition of Eric Tate.

10 4. Attached as Exhibit 3 is a true and correct copy of excerpts from Defendants’
11 Privilege Log Associated with March 31, 2017 Production of Documents.

12 5. Attached as Exhibit 4 is a true and correct copy of a document bearing bates
13 number UBER00313385.

14 6. Attached as Exhibit 5 is a true and correct copy of a document bearing bates
15 number UBER00086483.

16 7. Attached as Exhibit 6 is a true and correct copy of excerpts from the October 12,
17 2017 deposition of Salle Yoo.

18 8. Attached as Exhibit 7 is a true and correct copy of Deposition Exhibit 277, which is
19 a document bearing bates number UBER00063617.

20 9. Attached as Exhibit 8 is a true and correct copy of excerpts from the July 27, 2017
21 deposition of Travis Kalanick.

22 10. Attached as Exhibit 9 is a true and correct copy of an August 23, 2017 email from
23 Robert L. Uriarte, counsel for Travis Kalanick, to Charles K. Verhoeven and James Judah.

24 11. Attached as Exhibit 10 is a true and correct copy of the November 12, 2017
25 Declaration of Matthew Schroeder and Exhibit A thereto.

26 12. Attached as Exhibit 11 is a true and correct copy of excerpts from the June 22,
27 2017 deposition of Ningjun Qi.

28

1 13. Attached as Exhibit 12 is a true and correct copy of Defendants' July 19, 2017
2 Supplemental Log Pursuant to Orders on Motion for Preliminary Relief and Special Master's
3 Protocol.

4 14. Attached as Exhibit 13 is a true and correct copy of excerpts from the June 16,
5 2017 deposition of John Bares.

6 15. Attached as Exhibit 14 is a true and correct copy of excerpts from the April 19,
7 2017 deposition of Lior Ron.

8 16. Attached as Exhibit 15 is a true and correct copy of Exhibit 5 to the Stroz Report,
9 which was produced bearing bates number UBER00312509.

10 17. Attached as Exhibit 16 is a true and correct copy of excerpts from Defendants' June
11 9, 2017 Responses to Waymo's Second Set of Expedited Interrogatories Pursuant to Paragraph Six
12 of the May 11, 2017 Preliminary Injunction Order.

13 18. Attached as Exhibit 17 is a true and correct copy of excerpts from the April 14,
14 2017 deposition of Anthony Levandowski.

15 19. Attached as Exhibit 18 is a true and correct copy of Exhibit 30 to the Stroz Report,
16 which was produced bearing bates number UBER00312713.

17 20. Attached as Exhibit 19 is a true and correct copy of Exhibit 31 to the Stroz Report,
18 which was produced bearing bates number UBER00312716.

19 21. Attached as Exhibit 20 is a true and correct copy of excerpts from the October 2,
20 2017 30(b)(6) deposition of Lior Ron.

21 22. Attached as Exhibit 21 is a true and correct copy of excerpts from the July 20, 2017
22 deposition of Ognen Stojanovski.

23 23. Attached as Exhibit 22 is a true and correct copy of a document bearing bates
24 number UBER_AL_00014042.

25 24. Attached as Exhibit 23 is a true and correct copy of a document bearing bates
26 number STROZ_R_000176218.

27 25. Attached as Exhibit 24 is a true and correct copy of a document bearing bates
28 number STROZ_R_000176134.

